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February 7, 2025

**VIA ECF**

Honorable Robert Kirsch, U.S.D.J.  
United States District Court, District of New Jersey  
Clarkson S. Fisher Bldg. & U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

**Re: *In re Axon VieVu Antitrust Litigation*  
Case No. 3:23-cv-7182-RK-RLS**

Dear Judge Kirsch:

This firm, along with Jones Day, represents Defendant Axon Enterprise, Inc. ("Axon") in the above-captioned matter. We are in receipt of the Court's January 31, 2025 Opinion granting in part and denying in part Axon's Motion to Dismiss and to Strike (ECF No. 101). In its discussion denying the FTC's motion for leave to file an amicus brief, the Court noted that the FTC may not be impartial given the litigation between the FTC and Axon in the District of Arizona. (*Id.* at fn. 4). We write to advise the Court that the FTC's dismissal of its administrative complaint mooted the federal constitutional claims, which were then also dismissed; thus, there was no pending litigation between the parties at the time the FTC filed its motion. While we are mindful that the Court explicitly stated that it "has not relied on any of the FTC's arguments in reaching its conclusions in this Opinion" (*Id.* at fn. 4), we nonetheless wanted to inform the Court.

We appreciate the Court's ongoing attention to this matter, and remain available should Your Honor have any questions regarding the within.

Respectfully submitted,

*s/ Liza M. Walsh*

Liza M. Walsh

cc: All Counsel of Record (via email)